

# FACT SHEET

## Brownfield Cleanup Program

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Waterpointe-Whitestone, New York  
BCP Site #C241091  
Whitestone, NY 11357

November 2011

### Cleanup Action Completed at Brownfield Site; Final Engineering Report Under Review

Action has been completed to address contamination related to Waterpointe-Whitestone (“Site”) located at 151-45 Sixth Road in Whitestone, Queens County under New York’s Brownfield Cleanup Program. See map for Site location.

151-45 Sixth Road Whitestone Partners, LLC (“Applicant”) is the owner of record of the Site; however the Site is in foreclosure proceedings by Capmark Finance LLC (as successor in interest to Capmark Finance, Inc.) and is in court-ordered receivership. EnviroBusiness, Inc. d/b/a EBI Consulting was appointed Receiver by the Supreme Court of New York County of Queens on July 27, 2009. The Applicant has completed the activities and has submitted to the New York State Department of Environmental Conservation (“NYSDEC”) a Final Engineering Report, which is under review. The Final Engineering Report states that cleanup requirements have been achieved to fully protect public health and the environment for the proposed site use.

#### Highlights of the Final Engineering Report

The Final Engineering Report has several goals:

- 1) Document Site cleanup activities which involved the excavation and removal of contaminated soil from the Site.
- 2) Certify that cleanup requirements have been achieved for the Site.
- 3) Describe any institutional/engineering controls to be used. An *institutional control* is a non-physical restriction on use of the site, such as a deed restriction, when contamination left over

**Brownfield Cleanup Program:** New York’s Brownfield Cleanup Program (BCP) encourages the voluntary cleanup of contaminated properties known as “brownfields” so that they can be reused and redeveloped. These uses include recreation, housing, business or other uses.

A **brownfield** is any real property that is difficult to reuse or redevelop because of the presence or potential presence of contamination.

For more information about the BCP, visit:  
[www.dec.ny.gov/chemical/8450.html](http://www.dec.ny.gov/chemical/8450.html)

after the cleanup action makes the site suitable for some, but not all uses. An *engineering control* is a physical barrier or method to manage contamination such as a cap or vapor barrier

- 4) Certify that a site management plan for any engineering controls used at the Site has been approved by NYSDEC.

The remediation addressed elevated levels of metals, petroleum and semi-volatile (oil related) compounds that were documented to exist in the soil. Additionally, an isolated area of pesticides was remedied via

excavation. The soil was loaded into trucks and transported off-site to an out-of-state disposal/soil recycling facility. In conjunction with the soil excavation activities, floating petroleum-related contaminants encountered on the ground water were pumped from the ground directly into a vacuum truck and removed from the Site for off-site disposal. Once the post-excavation samples determined attainment of the cleanup goals, the excavations were surveyed and backfilled to grade with clean fill.

The work commenced in July of 2010 and the soil and product removal work was completed in April 2011. Post-remedial sampling activities (i.e. ground water and soil gas sampling) were completed in April 2011.

### **Next Steps**

NYSDEC will complete its review, revise the Final Engineering Report as necessary, and approve the report. The approved Final Engineering Report will be made available to the public (see “Where to Find Information” below). NYSDEC may then issue a Certificate of Completion to the applicant.

The applicant would be eligible to redevelop the Site when it receives the Certificate of Completion. In addition, the applicant:

- X would have no liability to the State for contamination at or coming from the Site, subject to certain conditions; and
- X would be eligible for tax credits to offset the costs of performing clean-up activities and for redevelopment of the site.

A Certificate of Completion may be modified or revoked if, for example, the applicant does not comply with the terms of its Brownfield Cleanup Agreement with NYSDEC, or if the applicant commits fraud regarding its application or its certification that it has met cleanup levels.

A fact sheet will be sent to the site contact list when NYSDEC issues a Certificate of Completion to the applicant.

### **Background**

NYSDEC previously accepted an application from the Applicant to participate in the Brownfield Cleanup Program. The application proposes that the Site will be used for residential purposes.

The Site is an approximately 12.5 acre parcel of land in Whitestone, New York. The Site has a street address of 151-45 6<sup>th</sup> Road, Whitestone, New York, 11357 and is identified as the following lots and blocks: Block 4487, Lots 160, 169, 170 and 200; Block 4524, Lots 77 and 92; and Block 4531, Lots 79 and 92.

The Site is located in an area characterized by commercial/light industrial and residential development. The Site is bordered by the East River to the north. The Site was historically occupied by residential houses, a park/pavilion recreation area, a restaurant, a metal shop, a boat manufacturer, a shooting range and shop until circa 1950. An asphalt plant operated at the Site from approximately 1952 through 1992. Concrete manufacturing was conducted concurrently with the asphalt manufacturing operations until approximately 1986-1988. Most recently, it was used for vehicle storage and maintenance activities.

The Areas of Concern (AOCs) identified at the Site related to past and current uses and include former and existing underground storage tanks (USTs), staining, drums, impacted ground water, sump pit, storm water collection unit, and historic fill material.

Numerous investigative activities were completed at the Site prior to the initiation of the Remedial Investigation (RI) activities approved under the BCP. Soil samples were obtained through the installation of test pits, the installation of soil borings and the collection of post-excavation samples in conjunction with on-site remedial activities (i.e. soil excavation). Impact from petroleum-related volatile and semi-volatile organics and metals was historically detected in the soil across the Site. In addition, localized impact from polychlorinated biphenyls (PCBs) and pesticides were noted at one location on the Site.

To date, the following activities have transpired within the auspices of the BCP:

- Submittal of BCP Application, November 2005
- Acceptance into BCP, May 1, 2006
- BCP Agreement executed, June 19, 2006
- NYSDEC/NYSDOH approval of Remedial Investigation Work Plan (RIWP) dated April 24, 2007
- Submittal of Interim Remedial Measure Workplan dated January 8, 2008
- Submittal of Interim Remedial Action Report dated August 2008
- November 14, 2008 NYSDEC conditional approval of the October 7, 2008 Revised Remedial Investigation Report
- Submittal of final Remedial Investigation Report, November 21, 2008
- January 26, 2009 NYSDEC approval of the August 2008 Interim Remedial Action Report
- Release of Remedial Work Plan (RWP) for public comment, March 2010
- June 14, 2010 NYSDEC approval of the March 2010 RWP
- Submittal of a Draft Final Engineering Report dated June 10, 2011
- Submittal of a Revised Draft Final Engineering Report dated October 26, 2011

## **FOR MORE INFORMATION**

### **Location of Reports and Information**

Project documents are available at the following location(s) to help the public stay informed. These documents include, but are not limited to, the site cleanup plan (Remedial Work Plan) and the application to participate in the BCP accepted by NYSDEC

Queens Public Library, Whitestone Branch

151-10 14<sup>th</sup> Road

Whitestone, NY 11357

(716) 767-8010

Mon & Thurs., 1 pm – 8 pm; Tues., 1 pm – 6 pm;

Wed. & Fri., 10 am – 6 pm; Sat., 10 am – 5:30 pm;

Sun., closed

### **Who to Contact**

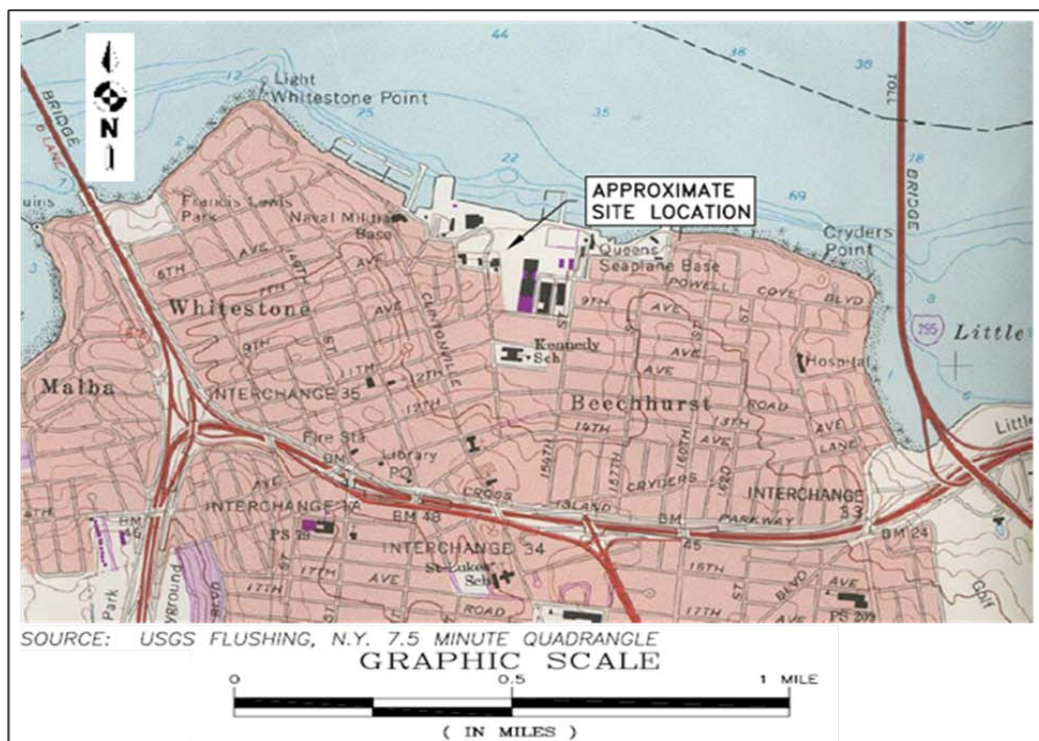
Comments and questions are always welcome and should be directed as follows:

### Project Related Questions

James Drumm  
New York State Department of  
Environmental Conservation  
Remedial Bureau B, 625 Broadway, Albany,  
NY 12233-7016  
(518) 402-9768  
jjdrumm@gw.dec.state.ny.us

### Site-Related Health Questions

Albert DeMarco  
New York State Department of Health  
Bureau of Environmental Exposure  
Investigation, 547 River Street, Troy, NY  
12180  
1-800-458-1158 ex 27860  
BEEI@health.state.ny.us



**We encourage you to share this fact sheet with neighbors and tenants, and/or post this fact sheet in a prominent area of your building for others to see.**

#### **Receive Site Fact Sheets by Email**

Have site information such as this fact sheet sent right to your email inbox. NYSDEC invites you to sign up with one or more contaminated sites county email listservs available at the following web page: [www.dec.ny.gov/chemical/61092.html](http://www.dec.ny.gov/chemical/61092.html) . It's *quick*, it's *free*, and it will help keep you *better informed*.



As a listserv member, you will periodically receive site-related information/announcements for all contaminated sites in the county(ies) you select.

You may continue also to receive paper copies of site information for a time after you sign up with a county listserv, until the transition to electronic distribution is complete.

**Note:** Please disregard if you already have signed up and received this fact sheet electronically.